[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ADJOURNMENT MOTION *Re*

ENHANCED TEACHING GRANT—FAILURE OF GOVERNMENT TO SEE THAT IT REACHED THE TEACHERS IN AIDED ELEMENTARY SCHOOLS.

MR. CHAIRMAN :—" I have received notice of an adjournment motion from hon. Member, Sri G. Krishnamoorthi. The motion reads :

' That this House do adjourn to discuss the failure on the part of the Government to see that the recent enhancement of teaching grant at Rs. 3 per teacher in every aided elementary school in the State reached the teacher and not the management.'

" An adjournment motion must raise a definite matter which is urgent and of public importance and also involve more than the ordinary administration of the law.

" The motion given notice of by the hon. Member though it is a definite matter does not satisfy other conditions necessary for an adjournment motion. The matter though it is of public importance is not urgent. Further, there are other ways by which the grievances may be redressed.

" Therefore, I rule this motion out of order."

III.—GOVERNMENT MOTION *Re*

MADRAS LEGISLATIVE COUNCIL—RULES OF PROCEDURE—AMENDMENT OF—APPOINTMENT OF A COMMITTEE FOR—.

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I beg to move—

' *That a Committee consisting of the following Members be appointed to make suggestions for the amendment of the Madras Council Rules :—*

(1) *The Hon. Chairman.*

(2) *Sri A. M. Allapichai.*

(3) *The Hon. Sri M. Bhaktavatsalam.*

(4) *Sri K. Balasubramanya Ayyar.*

(5) *Sri M. P. Govinda Menon.*

(6) *Sri K. Bhashyam.*

(7) *Sri S. Narsapaya.*

(8) *Sri Mohamed Raza Khan."*

MR. CHAIRMAN :—" The question is—

' That a Committee consisting of the following Members be appointed to make suggestions for the amendment of the Madras Council Rules :—

(1) The Hon. Chairman.

(2) Sri A. M. Allapichai.

(3) The Hon. Sri M. Bhaktavatsalam.

(4) Sri K. Balasubramanya Ayyar.

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(5) Sri M. P. Govinda Menon.

(6) Sri K. Bhashyam.

(7) Sri S. Narsapaya.

(8) Sri Mohamed Raza Khan.' "

The motion was carried.

IV.—GOVERNMENT BILL.

THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (AMENDMENT) BILL, 1954 (L.A. BILL NO. 27 OF 1954)—*cont.*

Clause 11.

MR. CHAIRMAN :—" The motion is—

' That Clause 11 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I beg to move the amendment standing in my name that—

' *For Section 55, the following shall be substituted* :—

" 55. *The trustee of a math shall be entitled to spend the* ' pathakanika ' *that is to say, any gift of property made to him as the head of the math in accordance with the customs and usages of the institution.*" ' "

DR V. K. JOHN :—" Sir, I second the amendment."

MR. CHAIRMAN :—" Amendment moved—

' For Section 55, the following shall be substituted :—

" 55. The trustee of a math shall be entitled to spend the ' *pathakanika* ' that is to say, any gift of property made to him as the head of the math in accordance with the customs and usages of the institution." ' "

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, the point that I wish to make is that, when this section 55 was considered by the Supreme Court, they were of opinion that the Mahant had absolute power of disposal over ' *pathakanikas* ' or personal gifts and that they were his personal property. The madathipati in the South is known as the Mahant in the North. Though the Mahant had absolute power of disposal over ' *pathakanikas* ', if he dies without making a disposition or spending them, they go to the succeeding person. This phenomenon does not make the ' *pathakanika* ' any the less the personal property of the Mahant because according to Hindu law, if a *sanyasi* or any other religious person who does not belong to the ordinary life of the community dies possessed of property, the chief disciple chosen by him will always inherit the property. It is only because this principle of Hindu law is applied to all religious endowments that the succeeding Mahant inherits the personal property if his predecessor dies without making any disposition.

" The fact that in the event of a Mahant's death, his successor got these *pathakanikas* does not confer on such *pathakanika* properties the character of the properties of the math. The position 3-30 p.m.